

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.18747 of 2012

R.Arul

... Petitioner

Vs

1.The State of Tamil Nadu
Rep by its Secretary to Government,
Revenue Department, Fort St.George,
Chennai 600 009.

2.The District Collector,
Kanchipuram District.

3.The Revenue Divisional Officer,
Kanchipuram District.

4.The District Revenue Officer,
Kanchipuram District.

5.The Tahsildar,
Chengalpattu Taluk.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the second respondent to dispose of the petitioner's representation dated 09.01.2012, in accordance with law within any stipulated period of time.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.D.Venkatachalam
Additional Government Pleader

O R D E R

Heard Mr.R.Venkatesan, learned counsel for the petitioner and Mr.D.Venkatachalam, learned Additional Government Pleader appearing for the respondents.

2. The petitioner has approached this Court, seeking the following relief,

"To issue a writ of Mandamus, to direct the second respondent to dispose of the petitioner's representation dated 09.01.2012, in accordance with law, within any stipulated period of time."

3. The case of the petitioner is as follows:-

The petitioner belonging to Hindu Adi dravidar Community. In 1931, the Government has assigned 99 cents of Panchamin lands to the petitioner's father and to his father's brother, as per the proceedings dated 12.05.1931. The petitioner and his sister one Ms.Amutha, had been in possession and enjoyment of the property, since the death of his father on 25.03.1998.

4. According to the petitioner, the subject land ought to be used only to the people belonging to the Scheduled Caste Community and cannot be conveyed to any other person, not belonging to the said community. According to him, the patta and other revenue records have been in the name of the petitioner's father and his father's brother, till date.

5. While matter stood thus, according to the affidavit filed in support of the writ petition, some persons other than Scheduled Caste people, were attempting to grab the lands by using their influence. In this regard, the petitioner appears to have submitted his representations on 09.01.2012 and also on 28.06.2012, requesting the authorities to hold enquiry and take appropriate action in this regard. However, the representations were not considered and no orders were passed on the representation, till date, by the authorities concerned. In the said circumstances, the petitioner is before this Court for issue of Writ of Mandamus.

6. Upon notice, learned Additional Government Pleader appearing for the respondents, entered appearance. He would submit that the second respondent may be directed to dispose of the representation within a stipulated time, for which, he would have no objection.

7. Considering the submissions of the learned counsel on both sides, this Court disposes of the writ petition by directing the second respondent to dispose of the representation dated 09.01.2012, which is enclosed in the typed set of documents filed in support of the writ petition, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is also directed to give a fresh representation in this regard.

8. With the above direction, the writ petition stands disposed of. No costs.

Assistant Registrar
Dt.15.2.18

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Revenue Department, Fort St.George,
Chennai 600 009.

2.The District Collector,
Kanchipuram District.

3.The Revenue Divisional Officer,
Kanchipuram District.

4.The District Revenue Officer,
Kanchipuram District.

5.The Tahsildar,
Chengalpattu Taluk.

+1 cc to Mr.R.Venkatesan,advocate,sr.5917

1 cc to Govt.Pleader,sr.6242.

Krd 20/2

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